

REMARKS

Claims 1, 2, 21, and 30-33 were pending in the present application. By this Amendment, claims 1 and 2 have been amended. Claims 30-33 were withdrawn by the Examiner as being directed to non-elected inventions. Applicants request that claims 30-33 be rejoined upon the allowance of the claims from which they depend. Claim 2 has been amended to correct a typographical error. Support for the amendment to claim 1 can be found throughout the specification and claims as originally filed. Specifically, support can be found *inter alia*, at page 2, lines 24-27, page 3, lines 17-22, and page 4, lines 1-5 of the specification. The present Amendment does not introduce any new matter and thus, its entry is respectfully requested.

September 26, 2006 Final Office Action

Claims Withdrawn from Consideration by Examiner

As noted at pages 2-3 of the Office Action, the Examiner withdrew claims 30-33 from consideration as allegedly being directed to non-elected inventions. Applicants request that claims 30-33 be rejoined upon the allowance of the claims from which they depend.

Examiner's Withdrawal of Rejections under 35 U.S.C. §112 and 35 U.S.C. §102

The Examiner withdrew the previous prior art, indefiniteness, and written description rejections based on the claim amendments presented in the last response.

Applicants acknowledge and appreciate the withdrawal of these rejections.

Examiner's rejection of claims 1-2 and 21 under 35 U.S.C. §112, first paragraph

Claims 1, 2, and 21 were rejected under 35 U.S.C. §112, first paragraph, as allegedly lacking full enablement. The Examiner's complete rationale is set forth at pages 4-6 of the Office Action. Essentially, the Examiner's position remains that the claims cover an extremely broad range of proteins, because they encompass a great number of variants of the defined sequences. According to the Examiner, without further guidance as to the modifications that could be expected to result in retained function, the broad range of proteins embraced by the current claims is not fully enabled.

In response, without conceding the correctness of the Examiner's position, but to expedite allowance of the application, Applicants have amended claim 1. Applicants believe that the claims, as amended, are fully enabled by the specification and that the amendments overcome all of the Examiner's remaining concerns. In particular, with respect to the recited mutations of the proteins with at least about 95% sequence identity to SEQ ID NOS. 1-12, Applicants respectfully point out that the techniques to generate such mutant proteins are well known to the ordinarily skilled artisan, and thus, practicing the invention as now claimed would not involve undue experimentation. Accordingly, Applicants respectfully request reconsideration and withdrawal of the enablement rejection of claims 1, 2, and 21 under 35 U.S.C. §112, first paragraph.

Priority applications

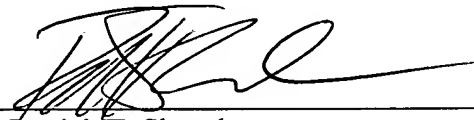
Applicants are unclear as to whether the Office has received the certified copies of the two European priority documents. Accordingly, Applicants attach hereto such copies for the Examiner's convenience.

In view of the above amendments and remarks, Applicants believe all of the Examiner's rejections set forth in the September 26, 2006 Office Action have been fully overcome and the present application is in condition for allowance. The Examiner is invited to telephone the undersigned if it is deemed to expedite allowance of the application.

Respectfully submitted,

February 26, 2007

By



Patrick T. Skacel
Attorney for Applicants
Registration No. 47,948
ROTHWELL, FIGG, ERNST & MANBECK, p.c.
1425 K Street, N.W., Suite 800
Washington, D.C. 20005
Telephone: (202)783-6040

Attachments: Certified copies of priority documents

1375312